

## FAQs for Class Location Change Special Permits

Revision Date: February 18, 2010

These Frequently Asked Questions (FAQs) are intended to clarify, explain, and promote better understanding of issues concerning special permits for waivers to class location regulations. These FAQs are not substantive rules and do not create rights, assign duties, or impose new obligations not outlined in the existing regulations and standards. Requests for informal interpretations regarding specific situations may be submitted to PHMSA in accordance with 49 C.F.R. § 190.11.

### 1. How do I apply for a class location special permit?

Operators must send applications for class location special permit to the following:

RE: Application for Special Permit pursuant to 49 CFR § 190.341(b)

Associate Administrator for Pipeline Safety  
U.S. DOT/PHMSA/PHP-01  
1200 New Jersey Avenue, SE  
Washington, DC 20590

CC:  
Office of Regulations  
U.S. DOT/PHMSA/PHP-30  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Email electronic copy to [john.gale@dot.gov](mailto:john.gale@dot.gov)

The operator should also send a copy of the special permit request to the PHMSA Region Director where the pipeline to which the special permit application applies is located.

Revised: 2/08/10

### 2. What information must be submitted with an application for a special permit request?

Operators applying for a class location special permit must follow directions and submit information required by 49 CFR § 190.341 and as provided in “Development of Class Location Change Waiver (Special Permit) Criteria” (69 FR 38948, June 29, 2004, Docket No. RSPA-2004-17401). The operator must include environmental information needed for PHMSA to complete an environmental analysis of the special permit request as required by the National Environmental Policy Act (NEPA). Operator class location applications must include environmental information in accordance with PHMSA guidance (see FAQ 4) for application submittals. Operators should also review and submit information contained in the guidance document ‘Detailed Guidance Addressing the Criteria for Class Location Waiver (Special Permit) Requests’ on pages 4 through 10, which is available at the following URL: <http://primis.phmsa.dot.gov/classloc/docs/ClassChangeWaiverCriteria.pdf>.

Operators must submit proposed special permit segment and special permit inspection area coordinates, including survey stations and mile posts for the proposed starting and ending points of each special permit segment or special permit area. The operator should compare the calculated length of the special permit segment(s) between survey stations with the calculated length of the same special permit segment(s) between mile posts. The operator should provide an explanation for any differences in the application for special permit. When all completed operator information for a special permit has been received by PHMSA, a notice of the special permit request will be published in the Federal Register for public comment. At the conclusion of a 30-day comment period, PHMSA will evaluate the special permit request and determine whether to grant or deny a special permit to the operator.

Revised: 2/08/10

**3. Do I have to continue to comply with 49 CFR § 192.611 (including pressure reduction, if applicable) until all conditions contained in the special permit have been fully implemented?**

Special permit conditions often require operators to take action over time. Some conditions will require the operator to take actions after approval of the special permit. In that case, the special permit will specify timeframes for completing the work and reporting the results to PHMSA. Some conditions will credit work done as much as 4 years prior to the date of the special permit. If an operator is in compliance with all class location special permit conditions, the operator is not required to meet 49 CFR § 192.611.

Revised: 2/08/10

**4. Must I provide environmental information when I apply for a special permit?**

Yes. In deciding whether to grant or deny your special permit request, PHMSA must conduct an environmental analysis in accordance with NEPA, the President's Council on Environmental Quality regulations implementing NEPA (40 CFR §§ 1500-1508), and DOT Order 5610.1c. To the extent PHMSA's grant or denial of a special permit (SP) request may constitute a Federal action under NEPA, in addition to analyzing any potential risks to public safety, PHMSA also analyzes any potential risks to the environment that could result from such grant or denial. As part of this analysis, PHMSA looks at whether the special permit would significantly impact the likelihood of a pipeline spill or failure as compared to the environmental status quo in the absence of the special permit. PHMSA places all special permit requests on its public docket and interested persons may comment on any aspect of the request including the requested special permit's possible environmental impacts, if any, during the comment period. PHMSA uses the findings of the EA to determine whether to include a finding of no significant impact (FONSI) or take other action in accordance with NEPA. Guidance on providing environmental information in special permit applications can be downloaded at the following URL.

[\[http://primis.phmsa.dot.gov/classloc/documents.htm\]](http://primis.phmsa.dot.gov/classloc/documents.htm)

Your special permit application will not be considered complete until the environmental information is provided to PHMSA.

Revised: 2/18/10

**5. Why is there a condition in the special permit to perform a coating survey over the special permit segments?**

Class Location special permits allow operation of the original pipe at the location where the class location has changed without replacing the pipeline segment. External corrosion is a significant pipeline safety threat, and mitigating this threat is part of assuring continued integrity. Pipeline coatings are the initial protection for metallic pipelines against external corrosion. Cathodic protection (CP) systems provide additional protection. These systems can malfunction and adequate CP potentials may not be available at all times. Thus, it is important to assure the best possible coating.

Revised: 2/08/10

**6. The term ‘appropriate class location design factors’ appears under the anomaly repair and evaluation condition. What does ‘appropriate’ mean?**

The term ‘appropriate class location design factors’ refers to the original class location design factor, i.e. if a pipeline was designed for a class 1 location and the special permit is to allow the pipe to remain in use even though the class location is now a class 3 location, the appropriate class location design factor for this pipe is a class 1 design factor.

Original: 7/15/09

**7. Why is there a special permit condition that requires the company to run a geometry or deformation tool on the pipeline?**

Latent third party damage, dents, or expanded pipe joints in a pipeline could combine with external corrosion to create an interactive threat. Dents, especially those with metal loss (including corrosion), can be stress concentrators which under certain situations could result in a pipeline failure. Running a geometry or deformation tool in the special permit inspection area should allow the operator to find latent defects. Operators must then remediate such defects so that interactive threats from dents, and dents with corrosion are eliminated.

Revised: 2/08/10

**8. What if the cathodic protection test stations are little more than ½ mile apart? Do new ones have to be installed?**

Perhaps. This condition states “in cases where obstructions such as buildings, driveways, and playgrounds limit where test stations can be installed, test stations must be placed in the closest practical location.” If a test station is just outside the ½ mile limit (e.g. several hundred feet), PHMSA might not require an additional test station to be installed. However, each situation will be evaluated individually.

Revised: 2/08/10

**9. Why is the cathodic protection remediation requirement 6 months instead of the normal one year?**

Operation of the original pipe in higher population densities, as allowed by the special permit, requires elimination of threats in a more expedient manner. Taking faster remedial action for cathodic protection problems helps to offset the reduction in the design safety factor.

Revised: 2/08/10

**10. Why are there two criteria for 'one year' repairs (either a failure pressure ratio of less than 1.39 or wall loss of 40% or more)?**

Because the class design factor will remain the same for a pipeline operating at 72% specified minimum yield strength (SMYS) in a class 2 or 3 location, additional safety measures are required to protect the public and maintain the integrity of the pipeline. By mandating that one year repairs be instituted on pipelines that have a failure pressure ratio (FPR) less than or equal to 1.39 for 72% SMYS design or anomalies with wall loss greater than 40%, we are requiring more rigorous repair criteria. The more rigorous criteria compensates for maintaining the original design factor in the higher population density area.

Failure pressure ratio (FPR) is based upon the class location where the special permit segment or special permit inspection area pipe is located, in accordance with 49 CFR § 192.5. The repair criteria (e.g., FPR less than or equal to 1.39 for 72% SMYS design) is the reciprocal of the class location design factor in 49 CFR § 192.111(a).

Revised: 2/08/10

**11. Why are there references to High Consequence Areas and Subpart O even though the special permit segment is not a covered segment?**

Special protection is appropriate for pipeline segments operating in higher population density areas under class location special permits. 49 CFR 192, Subpart O, was designed to afford special protection to pipeline segments in high consequence areas (HCA). Special permit conditions require that special permit segments be classified as high consequence areas and be treated under Subpart O even though these pipeline segments may not actually be an HCA. This assures that additional protection is provided. Anomalies in the special permit segments must be repaired in accordance with special permit conditions even if they are in an HCA.

Revised: 2/08/10

**12. Why must the Operations and Maintenance (O & M) Manual be amended to contain in-line inspection (ILI) and CIS re-assessment intervals and other conditions from the class location special permit?**

The Pipeline Safety Regulations require operators to prepare and follow an O&M Manual. Including these provisions in the O&M manual helps ensure all personnel responsible for implementing the requirements of special permit conditions will have ready access to them.

Revised: 2/08/10

**13. Why must a senior officer of the company certify compliance with terms of the special permit?**

This requirement reflects the importance of compliance with permit requirements and submitting complete and accurate information. Having a senior officer of the company certify compliance is intended to ensure that the requirements of special permit conditions are satisfied and that results and submissions are reviewed for accuracy and completeness. When senior officers are aware of the special permit requirements, compliance time frames, and their importance to pipeline safety, this helps to ensure that operators direct resources toward compliance with permit conditions.

Revised: 2/08/10

**14. What is a senior officer of the company and can it be of a subsidiary?**

A senior officer is a vice president, or equivalent. The certification can be by a senior officer of an operating subsidiary or of a holding company. The senior officer making the certification should be someone who is responsible for, and can verify compliance with, all special permit conditions.

Revised: 2/08/10

**15. Why does Condition #24 say N/A in some special permits?**

Special Permit Condition #24 is for unique conditions applicable to individual operators. If an operator's special permit has N/A or Not Applicable in Condition #24 then there are no unique conditions for that operator.

Original: 7/15/09

**16. Why does the special permit include record retention requirements since many of these records are already required under other areas of 49 CFR Part 192?**

49 CFR Part 192 does not require that some of the types of records associated with the special permit be kept for the life of the pipeline. All records under the special permit must be kept for the life of the pipeline or special permit.

Original: 7/15/09

**17. What are the criteria for determining that near-neutral pH and high pH Stress Corrosion Cracking (SCC) are threats of concern?**

The criteria can be found in NACE SP 0204-2004.

Near-neutral pH SCC is a threat of concern if all the following conditions are met:

- i. Pipeline is coated with any type of coating other than FBE;
- ii. Pipeline has been in service 10 years or more;
- iii. Pipeline located 20 miles or less downstream of a compressor station; and
- iv. Pipeline operates at a stress level of 60% SMYS or higher.

High pH SCC is a threat of concern if all the following conditions are met:

- i. Pipeline is coated with any type of coating other than FBE;
- ii. Pipeline has been in service 10 years or more;
- iii. Pipeline located 20 miles or less downstream of a compressor station;
- iv. Pipeline operates at a stress level of 60% SMYS or higher; and
- v. Pipeline operates at a temperature of 100 degrees F or higher.

Original: 7/15/09

**18. Is there any way a special permit can be granted for a pipeline segment that has had a seam failure in the special permit inspection area?**

A special permit may be granted provided the case is a non-systemic isolated case substantiated with a root cause analysis of the failure or leak as a basis. Additional conditions will be required such as performing a 49 CFR 192, Subpart J, hydrostatic pressure test within one year after the special permit is granted. Operators with pre-1970 LF-ERW or EFW pipe that has shown problems with seams such as failures and leaks will not be granted class location special permits.

Revised: 2/08/10

**19. Do all casings have to be free of shorts and/or electrolytic couplings?**

Yes. Within 6 months of issuance of the special permit, operators must ensure that the special permit segments contain no casing shorts or electrolytic coupling conditions.

Revised: 2/08/10

**20. Can casings be filled with a non-conductive high dielectric wax after they are found to be clear of shorts or couplings and free of foreign material?**

Yes. After any shorted or electrolytically coupled conditions are cleared, and the pipe is assessed for threats such as anomalies, a casing may be filled with non-conductive dielectric wax to prevent additional external and atmospheric corrosion from occurring. Test leads must be installed on both the casing and the carrier pipe.

Revised: 2/08/10

**21. Are there any types of girth welds or joints that must be removed before a special permit can be granted?**

Yes. PHMSA will not issue a special permit for pipelines that contain wrinkle bends, mechanical couplings, or oxy-acetylene girth welds. Operators of pipelines containing these features should remove them prior to submitting an application for a special permit. Additionally, if no girth welds were non-destructively tested before the pipeline was put into service [or records of such tests cannot be retrieved] then at least two girth welds will have to be excavated and non-destructively tested before a special permit will be considered. The operator would also need to provide documentation of any girth weld leaks or failures in the special permit inspection areas between compressor stations during the life of the pipeline.

Revised: 2/08/10

**22. Are there any special permit conditions regarding coatings?**

Yes. Only non-shielding coatings may be used within the special permit segments and the special permit inspection areas.

Revised: 2/08/10

**23. Why are AC and DC interference currents a problem?**

AC and DC interference currents can accelerate corrosion growth rates and thus can lead to premature or unexpected failures. There have been situations where a new pipeline has failed within 6 months as a result of corrosion caused by interference currents.

Revised: 2/08/10

**24. Why does a Close Interval Survey (CIS) have to be performed after a low test station reading? Does the CIS have to be performed even if the cause of the low reading was a blown fuse which was replaced?**

When cathodic protection (CP) potentials are low, there is greater likelihood that anodic conditions could occur and that external corrosion could be active in the area. Thus, it is important to determine whether the CP system is providing adequate cathodic protection on the pipeline after any CP system repair. For example, just replacing the fuse may temporarily correct a low level of CP potentials but there could be a more significant underlying problem that caused the fuse to blow or is interfering with adequate CP potentials along the pipeline.

Revised: 2/08/10

**25. Why must the PHMSA regional director be notified of excavations being performed under certain special permit conditions?**

The PHMSA regional director must be contacted at least 14 days prior to an excavation in order to provide sufficient time for a PHMSA representative to witness the process. If an excavation results from the discovery of an immediate response condition, the PHMSA Regional Director must be notified within two days after the immediate condition is discovered. PHMSA recommends that the operator give the PHMSA Regional Director a schedule of how they plan to comply with special permit conditions and provide periodic schedule updates to the assigned PHMSA Regional Inspector for the special permit.

Revised: 2/08/10

**26. Do all of the provisions of the best practices of the Common Ground Alliance need to be implemented?**

No. Only the best practices that are relevant to the special permit inspection area and special permit segments must be implemented.

Original: 7/15/09

**27. Can we use the maximum intervals for ILI re-assessments per 49 CFR 192.939?**

Yes, as long as there are no conditions or other issues such as corrosion growth rates, interference currents, or cathodic protection system outages that require a shorter interval. The maximum intervals in 49 CFR 192.939 are just that, maximums, and the interval must be shortened if risk factors so dictate.

Original: 7/15/09

**28. What if special situations along the pipeline preclude the use of Direct Current Voltage Gradient (DCVG) survey or an Alternating Current Voltage Gradient (ACVG) survey?**

Exceptions to DCVG and ACSV requirements will be dealt with on a case-by-case basis. DCVG and ACSV are the most common methods of coating surveys and most operators use them. PHMSA may accept other methods if the operator can justify that they are valid and effective and if the operator has a procedure for performing the survey and interpreting the results. PHMSA may also ask the operator to provide a correlation to a DCVG or ACSV survey so that PHMSA can be assured that all holidays have been detected and verified.

Revised: 2/08/10

**29. How are CIS and ILI results to be integrated?**

The operator may choose the method by which CIS and ILI results are integrated. However, the integration must align indications from the CIS with anomalies from the ILI and any suspected outside force damage. The purpose of such data integration is to maximize the benefits of each assessment method. ILI provides data on existing anomalies and their severity. CIS provides data on current indications that are or could become anomalies as a result of a lack of cathodic protection. ILI and CIS results must be integrated with encroachment data and foreign line crossings information. Together this information should provide an accurate picture of the status of the pipeline and a near term projection of likely future problems.

Revised: 2/08/10

**30. Why are pipe mill test reports required for a Class Location Change Special Permit?**

One of the conditions to obtain a Class Location Change Special Permit is to have mill test reports (mechanical and chemical properties) on the steel that went into the pipe that will be subject to the special permit. In order to grant the special permit, PHMSA needs assurance that the original pipe design does not pose a risk to the integrity of the pipeline special permit segment. To provide this assurance, an operator must have documented proof of the actual yield strength, tensile strength, and chemistry properties of the steel used in the pipe.

Revised: 2/08/10

**31. Are pipe mechanical strength and chemical properties documentation (mill test reports) needed to obtain a Class Location Special Permit?**

PHMSA requires that operators have knowledge of the chemical and mechanical properties of the pipe located within the special permit segments. Where operators do not have documentation of the original pipe mill inspection data or other relevant pipe quality information, PHMSA may deny the special permit request. Operators should obtain information on chemical and mechanical properties of the pipe prior to requesting a Class Location Special Permit by removing samples of the pipe and having it tested by a certified laboratory in accordance with 49 CFR Part 192.107(b), 192.109 and Part 192 Appendix B, Section III (B) and (C). Pipe that is field tested for properties must meet the hydrostatic test requirements of Part 192, Appendix B, Section III (C)(2). For an original Class 1 location pipeline to be considered for an upgrade to Class 3 location, where pipe properties are determined by field tests, the pipeline must be tested to a minimum of 100% SMYS for 8 continuous hours in accordance with 49 CFR Part 192, Subpart J.

Original: 2/08/10



**32. When should class location special permit applications be submitted in order to obtain a special permit within 24 months of the class location change, in accordance with 49 CFR § 192.611(d)?**

Applications for special permits should be submitted to PHMSA as soon as the change in class location occurs (discovery), but no later than 15 months prior to the expiration of the 24 month time period defined by 49 CFR § 192.611(d). In other words, the special permit application should be submitted to PHMSA no later than 9 months after the change in class location occurs. The purpose of the 24 month time frame is to allow for all technical reviews and administrative processing required for granting special permit to be accomplished and for the operator to remediate the pipe segments. PHMSA must internally review and analyze the application request (which could include additional information requests and dialogue with the operator), perform an environmental analysis as required by NEPA, publish the request in the federal register for public notice, solicit public comment, consider and respond to public comments, and publish the final decision to grant or deny applications for special permits. Operators that do not submit complete applications for special permits in the timely manner described herein should be prepared to reduce pipeline pressure in accordance with 49 CFR § 192.611(a)(1) or a)(2), while PHMSA completes its review and final action on the application.

Original: 2/08/10

**33. If the pipeline special permit segment and special permit inspection area have not had any leaks or ruptures due to systemic issues such as stress corrosion cracking (SCC) and selective seam corrosion, but the pipeline compressor station discharge section has had these types of integrity issues, would the special permit segment be suitable for a Class Location Special Permit?**

PHMSA will require a complete review of the history of the operator's pipe segments with a similar vintage pipe and coating as the special permit segment. This integrity review should include, at a minimum, all pipe of the same vintage in the special permit inspection area and compressor station discharge to the next compressor station (if there is additional mileage of this same pipe and coating vintage in the compressor station discharge to the next compressor station that may be outside the special permit inspection area). The integrity review for SCC should include: all pipe with the same manufacturing time frame, coating type, pipe coating reports from pipe excavations, all indications of prior or current SCC, CP history, operating pressure/stress level, operating temperature, documentation of field hydrostatic test pressures, all failures, leak history, and an engineering critical assessment regarding the likelihood of future SCC or selective seam corrosion in the special permit segments. The operator must provide PHMSA with the findings of its integrity review prior to or when submitting a request for a class location special permit.

Original: 2/08/10

**34. Are there any situations in which PHMSA may allow a Class Location Special Permit (SP) in a Special Permit Segment that has pipe with either pre 1970 LF-ERW or EFW longitudinal weld seams? Is there any way a special permit can be granted for a pipeline segment that has had a seam failure in the special permit inspection area?**

In general, PHMSA requires a robust technical justification for class location special permits involving pre 1970 LF-ERW and EFW pipe. There are many factors that PHMSA will consider when reviewing special permit applications regarding pipe with potential or actual pipe weld seam issues. Weld seam issues are due to the vintage pipe weld seam manufacturing processes in pre 1970 LF-ERW and EFW pipe. PHMSA will require a complete review of the history of the pipe segments that the operator has with a similar vintage seam construction (should include as a minimum all pipe of same vintage in the special permit inspection area and if there is additional mileage of this same pipe vintage in the compressor station discharge to next compressor station that may be outside the special permit inspection area) - same manufacturing time frame, documentation of field hydrostatic test pressures, all failures and leak history, and an engineering assessment regarding the likelihood of selective seam corrosion. PHMSA is concerned with the future weld seam integrity and potential for failures of vintage pipe seams that might be located in upgraded pipe sections such as from a Class 1 to Class 3 location. Selective seam corrosion in pre-1970 LF-ERW and EFW pipe has a history of going undetected by current pipe assessment technologies. Other contributing factors of selective seam corrosion are cathodic protection history, coating condition, gas quality, etc. All of these factors will weigh in determining if pipe segments with pre 1970 LF-ERW and EFW pipe will be granted a Class Location SP. It will be in extremely rare cases that PHMSA grants future special permits for pipe with pre 1970 LF-ERW and EFW pipe.

Original: 2/08/10